

1 William D. Hyslop
2 United States Attorney
3 Eastern District of Washington
4 Thomas J. Hanlon
5 Assistant United States Attorney
6 Richard C. Burson
7 Assistant United States Attorney
8 402 E. Yakima Ave., Suite 210
Yakima, WA 98901
Telephone: (509) 454-4425

9
10
11 UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.
15 JAMES DEAN CLOUD, and
16 DONOVAN QUINN CARTER
CLOUD,

17 Defendants.

1:19-CR-02032-SMJ

THIRD SUPERSEDING
INDICTMENT AMENDED
12-15-20 CAPTION COUNT 4

Vio: 18 U.S.C. §§ 2119, 2
Carjacking
(Count 1)

18 U.S.C. § 924(c)(1)(A)(i), (ii)
Brandishing of a Firearm During a
Crime of Violence
(Counts 2, 3, 6)

18 U.S.C. §§ 1201, 1153,
3559(f)(2)
Kidnapping
(Count 4)

18 U.S.C. §§ 113(a)(3), 1153
Assault with a Dangerous Weapon
(Count 5)

18 U.S.C. §§ 1111, 1153, 2
First Degree Murder
(Counts 7,10, 12, 14)

18 U.S.C. § 924(c)(1)(A)(i), (ii)
Discharge of a Firearm During a
Crime of Violence
(Count 8,11,13,15,17,19)

18 U.S.C. § 1111, 1153
Second Degree Murder
(Counts 9)

18 U.S.C. § 111(a)(1), 1153
Assault with Intent to Commit
Murder
(Counts 16, 18)

The Grand Jury charges:

COUNT 1

On or about June 8, 2019, in the Eastern District of Washington, the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER CLOUD, took a motor vehicle, to wit: a 2007 Chevrolet Silverado, that had been transported, shipped, and received in interstate and foreign commerce from J.V. by force, violence, and intimidation, with the intent to cause death and serious bodily harm, all in violation of 18 U.S.C. §§ 2119, 2.

1 COUNT 2
2

3 On or about June 8, 2019, in the Eastern District of Washington, the
4 Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
5 for which he may be prosecuted in a court of the United States, to wit: Carjacking,
6 in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this Third Superseding
7 Indictment, did knowingly use, carry, brandish, and possess in furtherance of the
8 Carjacking, a firearm, all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).
9
10

11
12 COUNT 3
13

14 On or about June 8, 2019, in the Eastern District of Washington, the
15 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
16 crime of violence, for which he may be prosecuted in a court of the United States,
17 to wit: Carjacking, in violation of 18 U.S.C. § 2119, as alleged in Count 1 of this
18 Third Superseding Indictment, did knowingly use, carry, brandish, and possess in
19 furtherance of the Carjacking, a firearm, all in violation of 18 U.S.C. §
20 924(c)(1)(A)(i), (ii).
21
22

23
24 COUNT 4
25

26 On or about June 8, 2019, in the Eastern District of Washington, the
27 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
28

1 CLOUD, both Indians, who were not parents, grandparents, brothers, sisters, aunts,
2 uncles, or individuals having legal custody of Minor A, did unlawfully kidnap,
3
4 abduct, confine, and carry away and hold for ransom or reward or otherwise a
5 person identified as Minor A for a vehicle, and Minor A had not then attained the
6 age of eighteen years, all within the boundaries of the Yakama Nation Indian
7 Reservation, in Indian Country; in violation of 18 U.S.C. §§ 1201(a)(2), (g)(1),
8 1153, and 3559(f)(2), 2.

COUNT 5

On or about June 8, 2019, in the Eastern District of Washington, within the boundaries of the Yakama Nation Indian Reservation, in Indian Country, the Defendant, JAMES DEAN CLOUD, an Indian, did knowingly assault J.V. with a dangerous weapon, that is, a firearm, with intent to do bodily harm; in violation of 18 U.S.C. § 113(a)(3), 1153.

COUNT 6

On or about June 8, 2019, in the Eastern District of Washington, the Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, to wit: Assault with a Dangerous Weapon, in violation of 18 U.S.C. §§ 113(a)(3), § 1153, as alleged in

1 Count 5 of this Third Superseding Indictment, did knowingly use, carry, brandish,
2 and possess in furtherance of the Assault with a Dangerous Weapon, a firearm, all
3 in violation of 18 U.S.C. § 924(c)(1)(A)(i), (ii).

5
6
7 COUNT 7
8

9
10 On or about June 8, 2019, in the Eastern District of Washington, within the
11 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
12 the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
13 CLOUD, both Indians, willfully, deliberately, maliciously, and with premeditation
14 and malice aforethought, did unlawfully kill D.O. by shooting him with a rifle, and
15 did aid and abet the same; all in violation of 18 U.S.C. §§ 1153, 1111, 2.
16
17

18 COUNT 8
19

20 On or about June 8, 2019, in the Eastern District of Washington, the
21 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
22 CLOUD, during and in relation to a crime of violence, for which they may be
23 prosecuted in a court of the United States, to wit: First Degree Murder, in violation
24 of 18 U.S.C. §§ 1111, 1153, as alleged in Count 7 of this Third Superseding
25 Indictment, did knowingly use, carry, brandish, possess, and discharge in
26 furtherance of the First Degree Murder, a firearm, and did aid and abet the same;
27 all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii), 2.
28

1 COUNT 9
2
3

4 On or about June 8, 2019, in the Eastern District of Washington, the
5 Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately,
6 maliciously, and with malice aforethought, did unlawfully kill J.C. by shooting
7 him with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.

8 COUNT 10
9
10

11 On or about June 8, 2019, in the Eastern District of Washington, within the
12 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
13 the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately,
14 maliciously, and with premeditation and malice aforethought, did unlawfully kill
15 C.E. by shooting her with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.
16

17 COUNT 11
18
19

20 On or about June 8, 2019, in the Eastern District of Washington, the
21 Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
22 for which he may be prosecuted in a court of the United States, to wit: First Degree
23 Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 10 of this
24 Third Superseding Indictment, did knowingly use, carry, brandish, possess, and
25 discharge in furtherance of the First Degree Murder, a firearm; all in violation of
26 18 U.S.C. § 924(c)(1)(A)(i), (iii).
27
28

1 COUNT 12
2
3

4 On or about June 8, 2019, in the Eastern District of Washington, within the
5 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
6 the Defendant, JAMES DEAN CLOUD, an Indian, willfully, deliberately,
7 maliciously, and with malice aforethought, did unlawfully kill M.S. by shooting
8 her with a rifle; all in violation of 18 U.S.C. §§ 1153, 1111.

9 COUNT 13
10
11

12 On or about June 8, 2019, in the Eastern District of Washington, the
13 Defendant, JAMES DEAN CLOUD, during and in relation to a crime of violence,
14 for which he may be prosecuted in a court of the United States, to wit: First Degree
15 Murder, in violation of 18 U.S.C. §§ 1111, 1153, as alleged in Count 12 of this
16 Third Superseding Indictment, did knowingly use, carry, brandish, possess, and
17 discharge a firearm in furtherance of the First Degree Murder, a firearm; all in
18 violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii).
19
20

21 COUNT 14
22
23

24 On or about June 8, 2019, in the Eastern District of Washington, within the
25 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
26 the Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
27 CLOUD, both Indians, willfully, deliberately, maliciously, and with premeditation
28

1 and malice aforethought, did unlawfully kill T.H. by shooting him with a rifle, and
2 did aid and abet the same; all in violation of 18 U.S.C. §§ 1153, 1111, 2.
3

4 COUNT 15

5 On or about June 8, 2019, in the Eastern District of Washington, the
6 Defendants, JAMES DEAN CLOUD and DONOVAN QUINN CARTER
7 CLOUD, during and in relation to a crime of violence, for which they may be
8 prosecuted in a court of the United States, to wit: First Degree Murder, in violation
9 of 18 U.S.C. §§ 1111, 1153, as alleged in Count 14 of this Third Superseding
10 Indictment, did knowingly use, carry, brandish, possess, and discharge in
11 furtherance of the First Degree Murder, a firearm, and did aid and abet the same;
12 all in violation of 18 U.S.C. § 924(c)(1)(A)(i), (iii), 2.
13

14 COUNT 16

15 On or about June 8, 2019, in the Eastern District of Washington, within the
16 external boundaries of the Yakama Nation Indian Reservation, in Indian Country,
17 the Defendant, DONOVAN QUINN CARTER CLOUD, an Indian, did knowingly
18 assault E.Z. with intent to commit murder by shooting her with a firearm; in
19 violation of 18 U.S.C. § 113(a)(1), 1153.
20

21 COUNT 17

22 On or about June 8, 2019, in the Eastern District of Washington, the
23 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
24

1 crime of violence, for which he may be prosecuted in a court of the United States,
2 to wit: Assault with Intent to Commit Murder, in violation of 18 U.S.C. §§
3
4 113(a)(1), § 1153, as alleged in Count 16 of this Third Superseding Indictment, did
5 knowingly use, carry, brandish, and possess and discharge a firearm in furtherance
6 of the Assault with Intent to Commit Murder; all in violation of 18 U.S.C. §
7
8 924(c)(1)(A)(i), (iii).
9

10 COUNT 18
11

12 On or about June 8, 2019, in the Eastern District of Washington, within the
13 boundaries of the Yakama Nation Indian Reservation, in Indian Country, the
14 Defendant, DONOVAN QUINN CARTER CLOUD, an Indian, did knowingly
15 assault L.L. with intent to commit murder by shooting him with a firearm; in
16 violation of 18 U.S.C. § 113(a)(1), 1153.
17

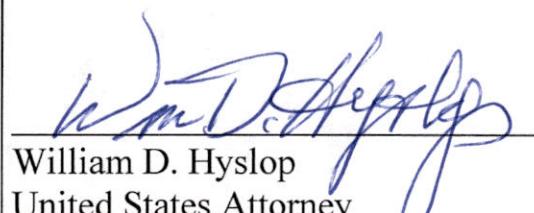
18 COUNT 19
19

20 On or about June 8, 2019, in the Eastern District of Washington, the
21 Defendant, DONOVAN QUINN CARTER CLOUD, during and in relation to a
22 crime of violence, for which he may be prosecuted in a court of the United States,
23 to wit: Assault with Intent to Commit Murder, in violation of 18 U.S.C. §§
24 113(a)(1), § 1153, as alleged in Count 18 of this Third Superseding Indictment, did
25 knowingly use, carry, brandish, and possess and discharge a firearm in furtherance
26
27

1 of the Assault with Intent to Commit Murder; all in violation of 18 U.S.C. §
2 924(c)(1)(A)(i), (ii).
3

4 DATED this 17 day of November, 2020.
5

6 A TRUE BILL
7

8
9
10 
11 William D. Hyslop
12 United States Attorney

13 
14 Thomas J. Hanlon
15 Assistant United States Attorney

16 
17 Richard C. Burson
18 Assistant United States Attorney